



~~August 17, 2004 CPC~~
September 22, 2004 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0298

Omnipoint Communications

Dale Magisterial District
South line of Cogbill Road

REQUEST: Conditional Use to permit a communications tower in a Residential (R-7) District.

PROPOSED LAND USE:

A communications tower and associated improvements are planned. Specifically, the tower will be incorporated into a lighting structure located on the property. Since the tower would not meet the restrictions for towers in a residential district a Conditional Use permit is required.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITIONS AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON PAGES 2 AND 3.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposal conforms to the Public Facilities Plan which suggests that communications tower locations should generally be located to minimize the impact on existing or future areas of development and that communications facilities should co-locate whenever feasible.
- B. The proposal conforms to the Tower Siting Policy which suggests that co-location on stadium light poles may be appropriate.

- C. Incorporating the communications facilities into an existing lighting structure will eliminate the need for an additional structure in the area.
- D. The recommended conditions will further minimize the possibility of any adverse impact on area development, the County Communications System or the County Airport.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITIONS

- (STAFF/CPC) 1. Any communications tower shall be co-located on a lighting structure for the athletic field. (P)
- (STAFF/CPC) 2. The developer shall be responsible for correcting any frequency problems which affect the Chesterfield County Communications System caused by this use. Such corrections shall be made immediately upon notification by the Chesterfield County Communications and Electronics staff. (GS)
- (STAFF/CPC) 3. The color and lighting system for the tower shall be as follows:
 - a. The tower shall be gray or another neutral color, acceptable to the Planning Department.
 - b. The tower shall not be lighted. (P)
- (STAFF/CPC) 4. Any building or mechanical equipment shall comply with Section 19-603 of the Zoning Ordinance relative to architectural treatment of building exteriors and screening of mechanical equipment. (P)

(NOTE: Section 19-603 would require the screening of mechanical equipment located on the building or ground from adjacent properties and public rights of way. Screening would not be required for the tower or tower-mounted equipment.)
- (STAFF/CPC) 5. The tower shall not exceed a height of 125 feet. (P)
- (STAFF/CPC) 6. At such time that the tower ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months,

the owner/developer shall dismantle and remove the tower and all associated equipment from the property. (P)

PROFFERED CONDITIONS

- (STAFF/CPC) 1. The light switch for the athletic field shall be relocated to a position approved by the school officials. (P)
- (STAFF/CPC) 2. While the communications tower is under construction, all athletic field lights shall remain operational between the hours of 6:00 PM and 6:00 AM., except for those dates which may be approved by the Athletic Director. (P)

GENERAL INFORMATION

Location:

South line of Cogbill Road, west of Livingstone Avenue, and known as 4901 Cogbill Road. Tax ID 778-683-Part of 5373 (Sheet 12).

Existing Zoning:

R-7

Size:

0.2 acre

Existing Land Use:

Public/Semi-Public (Meadowbrook High School)

Adjacent Zoning and Land Use:

North, South, East and West – R-7; Single-family residential or Public/Semi-Public (Meadowbrook High School)

UTILITIES; ENVIRONMENTAL; PUBLIC FACILITIES

The requested amendment will have no impact on these facilities.

COUNTY COMMUNICATIONS

The Zoning Ordinance requires that any structure over eighty (80) feet in height be reviewed by the County's Public Safety Review Team for potential detrimental impacts the structure could

have on the County's Radio Communications System microwave paths. This determination must be made prior to construction of the communications tower.

A preliminary review of this proposal has indicated that the facility will not interfere with the County's communications system. Once the tower is in operation, if interference occurs, the owner/developer should be required to correct any problems. (Condition 2)

COUNTY AIRPORT

A preliminary review of this proposal indicates that, given the approximate location and elevation of the proposed installation, it appears there will be no adverse affect on the County Airport.

LAND USE

Comprehensive Plan:

The request property lies within the boundaries of the Central Area Plan which suggests the property is appropriate for residential use of 2.51 to 4.0 units per acre.

The Public Facilities Plan, an element of the Comprehensive Plan, suggests that communications uses should be co-located, whenever feasible, to minimize impacts on existing and future areas of development.

Area Development Trends:

Adjacent properties are zoned Residential (R-7) and are occupied by single family residential uses or Meadowbrook High School facilities. It is anticipated that single family residential uses will continue in the area, as suggested by the Central Area Plan.

Dwellings within 2,000 feet of the tower are shown on the Attachment. It is important to note that residential structures on this map were placed according to aerial photographs taken in 2002 and therefore may not fully represent all the structures in the area.

Development Standards:

The request property lies within an Emerging Growth Area. The purpose of the Emerging Growth District standards is to promote high quality, well-designed projects. However, because the request property is zoned Residential (R-7), development is not required to meet the development standards for Emerging Growth Areas. A condition should be imposed to require compliance with Emerging Growth Area requirements relative to the architectural treatment of the proposed equipment building. (Condition 4)

As noted herein, the request property is occupied by a lighting structure, which serves Meadowbrook High School athletic facilities. The proposed communications tower will

be incorporated into this lighting structure (Condition 1). Specifically, the applicant plans to remove the existing lighting structure and replace it with a communications tower and remount the lighting elements at the current height. The height of the tower is not to exceed 125 feet (Proffered Condition 5). Access to the tower site will be via an existing school access to Cogbill Road. Due to the proximity to Cogbill Road, the communications tower should be gray or another neutral color so as to minimize the visual impact on motorists traveling along the roadway and should not be lighted. (Condition 3)

To address concerns expressed by a representative of the school, the applicant has agreed to relocate a light switch for the athletic fields (Proffered Condition 1). The switch is located on the light structure upon which the communications tower is proposed to be co-located. This structure is to be enclosed with a security fence once the tower is erected. To retain unencumbered access to this light switch the school has requested the switch be moved to another location. In addition, so as not to interfere with night time activities which may be held on the athletic field during construction of the tower, the applicant has agreed the lights for the athletic field will remain operational during hours of darkness, except as may otherwise be approved by the school's athletic director. (Proffered Condition 2)

Consistent with past actions on similar facilities and to ensure that the tower does not become a maintenance problem or an eyesore, the tower should be removed at such time that it ceases to be used for communications purposes. (Condition 6)

CONCLUSIONS

The Public Facilities Plan suggests that communications towers should be located to minimize the impact on existing or future areas of development and that communications facilities should co-locate whenever feasible. The communications tower will be incorporated into an existing lighting structure. The addition of the communications facilities to the structure does not generate a visual impact that is significantly greater than the visual impact of the existing area lighting structures. This co-location will eliminate the need for an additional structure in the area. In addition, the recommended conditions will further minimize the possibility of any adverse impact on area development, as well as on the County Communications System or the County Airport.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (8/17/04):

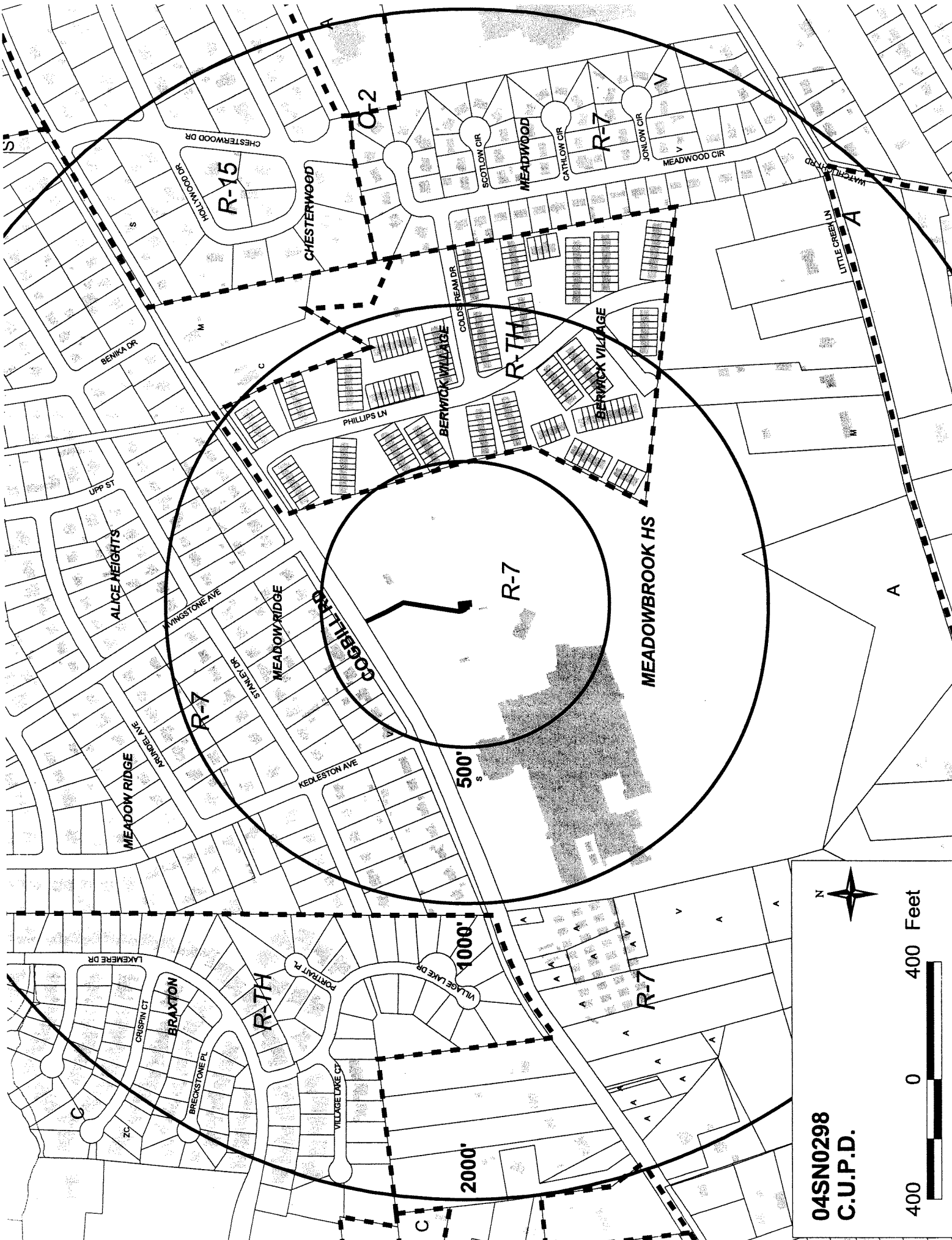
The applicant accepted the recommendation. One (1) person spoke in opposition to the request, noting concerns relative to an easement.

Mr. Litton indicated the easement issue did not affect the request presently before the Commission.

On motion of Mr. Litton, seconded by Mr. Wilson, the Commission recommended approval subject to the conditions and acceptance of the proffered conditions on pages 2 and 3.

AYES: Unanimous.

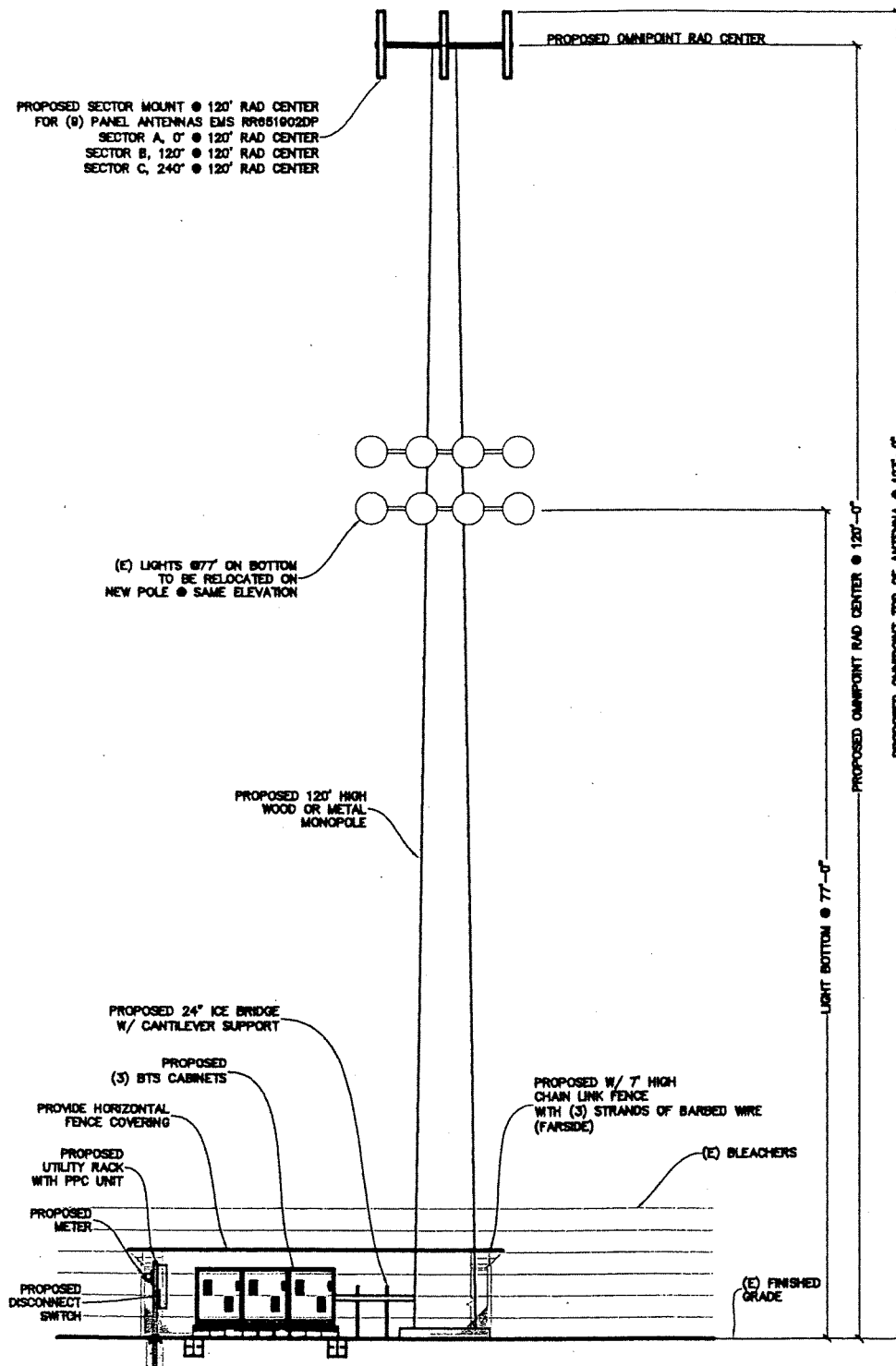
The Board of Supervisors, on Wednesday, September 22, 2004, beginning at 7:00 p.m., will take under consideration this request.



04SN0298
C.U.P.D.



400 0 400 Feet



TOWER ELEVATION LOOKING WEST

1
C-3

04SN0298-1